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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIANS FOR ALTERNATIVES
TO TOXICS,

Plaintiff,
vs.

KERNEN CONSTRUCTION CO.,
BEDROCK INVESTMENTS LLC, SCOTT
FARLEY, AND KURT KERNEN,

Defendants.

Case No. 4:24-cv-04067

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD
BE RELATED**

(Civil Local Rule 3-12)

Related Cases:
4:16-cv-04007-YGR;
4:20-cv-01348-YGR.

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Californians for Alternatives to Toxics (“CAT” or “Plaintiff”), pursuant to Civil Local Rule 3-12, makes this Administrative Motion to Consider Whether Cases Should Be Related.

Civil Local Rule requires the following information: (1) the title and case number of each apparently related case; and, (2) a brief statement of the relationship of the actions according to the criteria set forth in Civil L.R. 3-12(a).

I. Title and Case Number of Each Apparently Related Case

1. *Californians for Alternatives to Toxics v. Kernen Construction Co., Bedrock Investments, LLC, Kurt Kernen, and Scott Farley*, 4:20-cv-01348-YGR;
 2. *Californians for Alternatives to Toxics v. Kernen Construction Co., Bedrock Investments, LLC, Kurt Kernen, and Scott Farley*, 4:16-cv-04007-YGR.

II. Brief Statement of the Relationship of the Actions

Each of the actions identified above involved the same parties as the current case. Californians for Alternatives to Toxics brought each of the above actions, as well as the instant case, to bring Defendants into compliance with the Clean Water Act. Each case involves claims against Defendants for their violations of the Industrial General Permit that regulates their discharges of storm water associated with industrial activities at Defendants' Kernen Construction facility.

Both of the prior cases have been resolved, so currently no related cases are pending; however, it would likely result in an unduly burdensome duplication of labor and expense if this new enforcement action were to be brought before a different judge. The 2020 enforcement action was related to the 2016 enforcement action on May 26, 2020. ECF No. 130 (4:16-cv-04007-YGR).

Dated: July 5, 2024

Respectfully Submitted,

LAW OFFICE OF WILLIAM CARLON

By: /s/ William N. Carlon

William N. Carlon
Attorneys for Plaintiff
CALIFORNIANS FOR
ALTERNATIVES TO TOXICS